

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

United States of America ex rel.)	
DARREN EVANS,)	
)	
Petitioner,)	
)	
v.)	No. 07 C 6937
)	
TERRY MCCANN,)	
Warden, Stateville Correctional Center)	The Honorable
)	James B. Zagel,
Respondent.)	Judge Presiding.

SECOND MOTION FOR EXTENSION OF TIME

Respondent, TERRY MCCANN, respectfully moves this Honorable Court for an additional thirty (30) day extension of time to answer or otherwise plead to the above-captioned petition for writ of habeas corpus, from March 12, 2008 to and including April 11, 2008. An affidavit in support of this motion is attached hereto.

March 3, 2008

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

By: /s/ Sheri Wong
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State of Illinois)
) ss.
County of Cook)

A F F I D A V I T

SHERI WONG, being first duly sworn upon oath, deposes and states as follows:

1. Respondent's answer or other responsive pleading to the instant federal habeas corpus petition currently is due to be filed on or before March 12, 2008.
2. Despite due diligence, the undersigned will be unable to file a response by March 12, 2008.
3. Counsel has had difficulty in obtaining all of the necessary state-court documents in petitioner's state-court litigation. At the time respondent sought a first extension of time in which to answer or otherwise plead, undersigned counsel had not obtained a copy of petitioner's first petition for postconviction relief, and the order of dismissal from the Circuit Court of Cook County. Despite renewed attempts, the undersigned has not yet received copies of the aforementioned documents.
4. Previously, this Court granted respondent one thirty-day extension of time.
5. The present motion for an additional extension of time is not intended for purposes of delay, but is being made solely to ensure that respondent's interests are adequately protected.

6. Respondent respectfully requests that this Honorable Court grant his motion for an additional thirty-day extension of time to and including April 11, 2008, within which to file her answer or otherwise plead to the instant petition for writ of habeas corpus.

FURTHER AFFIANT SAYETH NOT.

By: /s/ Sheri Wong

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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2008, I presented the attached **MOTION FOR EXTENSION OF TIME and AFFIDAVIT** to the Clerk of the United States District Court for the Northern District of Illinois, using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participant:

Darren Evans, B61256
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